**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.1378 OF 2002.**
**IN**
**FIRST APPEAL NO.1115 OF 2003.**

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| Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders. | Court's or Judge's orders. |
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Shri B.H.Mehta, A.G.P for the State.
Shri G.K.Morya i/by Ms Pallavi Potnis for the Respondents.

**CORAM : ABHAY S.OKA, J.**
**DATED : 05th December, 2007.**

**P.C.:**

1. Heard the learned A.G.P for the applicant. The impugned judgment and award has been passed on 16th March, 1999 and till today there is no ad-interim or interim relief of stay granted in favour of the applicant. Moreover, enhancement in market value granted in favour of the respondents is only in the sum of Rs.2,910/-. Considering these peculiar facts, no case is made out for grant of stay. The application is rejected. It is however made clear that if the claimants withdraw the compensation amount, the withdrawal will be naturally subject to final outcome of the appeal.

**JUDGE**